



Attorney's Docket No. 017.40824X00 (NC 28437)

# **DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that: my residence, post office address and country of citizenship are as stated below, next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **IMPROVEMENTS IN AND RELATING TO CONSUMPTION OF CONTENT**

the specification of which

is attached hereto.

X

was filed on December 28, 2001 as

United States Application Number 10/029,349

or PCT International Application Number \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits, under 35 U.S.C. 119(a)-(d) or 365(b), of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

## **Prior Foreign Application(s)**

0116489.6

(Number)

GB

(Country)

July 6, 2001

(Foreign Filing Date)

Priority  
Claimed?

Yes

No

(Number)

(Country)

(Foreign Filing Date)

Yes

No

I hereby claim the benefit, under 35 U.S.C. 119(e), of any United States provisional application(s) listed below:  
60/314,095

(Application Number)

August 23, 2001

Filing Date

(Application Number)

Filing Date

I hereby claim the benefit, under 35 U.S.C. 120, of any United States application(s) listed below:

(Application Number)

Filing Date

(Status — patented, pending, abandoned)

NOKIA INC.

3/25/02 09:02 FAX 781 993 1936

I hereby appoint: Donald R. Antonelli, Reg. No. 20,296; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973; Carl I. Brundidge, Reg. No. 29,621; Paul J. Skwierawski, Reg. No. 32,173; and Robert M. Bauer, Reg. No. 34,487; of ANTONELLI, TERRY, STOUT & KRAUS, LLP with offices located at 1300 North Seventeenth Street, Suite 1800, Arlington, Virginia 22209, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send all correspondence to:

Customer Number 020457  
**ANTONELLI, TERRY, STOUT & KRAUS, LLP**  
 1300 North Seventeenth Street  
 Suite 1800  
 Arlington, VA. 22209

Direct all telephone calls and faxes to:

TEL: (703) 312-6600  
 FAX: (703) 312-6666

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Leon HURST Date 14-3-2002  
 Inventor's Signature [Signature]  
 Residence Same As Mailing Address Citizenship Ireland  
 (City, State) (Country of Citizenship)  
 Mailing Address Punavuorenkatu 23 H 171, 00150 Helsinki, Finland

Full Name of Second/Joint Inventor Julian DURAND Date 19-3-2002  
 Inventor's Signature [Signature]  
 Residence Same As Mailing Address Citizenship Canada  
 (City, State) (Country of Citizenship)  
 Mailing Address 151 Calderon Avenue, #242, Mountain View, California 94041

Full Name of Third/Joint Inventor Jeffrey Miller PRINCE KINSON Date 19-03-2002  
 Inventor's Signature [Signature]  
 Residence Same As Mailing Address Citizenship United States  
 (City, State) (Country of Citizenship)  
 Mailing Address 20 Shaw Road, Wellesley Hills, Massachusetts 02481

NOKIA INC

A/25/02 09:02 FAX 781 993 1936

Full Name of Fourth/Joint Inventor Mulligan MICHAELDate 14/3/02Inventor's Signature [Signature]

Citizenship

Ireland

(Country of Citizenship)

Residence Same As Mailing Address

(City, State)

Mailing Address Kaapinmäki 40 R 31, 33200 Tampere, Finland

Full Name of Fifth/Joint Inventor \_\_\_\_\_

Date \_\_\_\_\_

Inventor's Signature \_\_\_\_\_

Citizenship \_\_\_\_\_

(Country of Citizenship)

Residence \_\_\_\_\_

(City, State)

Mailing Address \_\_\_\_\_

Full Name of Sixth/Joint Inventor \_\_\_\_\_

Date \_\_\_\_\_

Inventor's Signature \_\_\_\_\_

Citizenship \_\_\_\_\_

(Country of Citizenship)

Residence \_\_\_\_\_

(City, State)

Mailing Address \_\_\_\_\_

Full Name of Seventh/Joint Inventor \_\_\_\_\_

Date \_\_\_\_\_

Inventor's Signature \_\_\_\_\_

Citizenship \_\_\_\_\_

(Country of Citizenship)

Residence \_\_\_\_\_

(City, State)

Mailing Address \_\_\_\_\_

Title 37, Code of Federal Regulations, Section 1.56  
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by 991.97(b)-(5) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign parent office in a counterpart application, and  
 (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.